

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA


	:	Hon. Legrome D. Davis
In Re DVI, Inc. Securities Litigation	:	
	:	Case No. 03-CV-5336

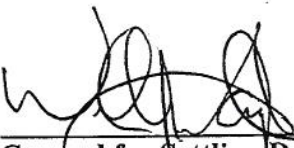
STIPULATION AGREEMENT VOLUNTARILY DISMISSING
DEFENDANT ANTHONY TUREK

Lead Plaintiffs Cedar Street Fund, Cedar Street Offshore Fund and Kenneth Grossman (collectively "Lead Plaintiffs"), and Defendant Anthony Turek ("Settling Defendant"), together, "the stipulating parties", hereby stipulate that Settling Defendant shall be dismissed with prejudice from the above-titled litigation, pursuant and subject to Court approval and the following conditions:

- i. Each party shall bear its own costs and attorney fees with respect to Lead Plaintiffs' claims against the Settling Defendant, in the entirety, accumulated throughout the duration of the litigation.
- ii. Settling Defendant continues to be subject to the jurisdiction of this court, and shall, if called to testify at trial, appear at own cost and testify, failing which, the action may be reinstituted against Settling Defendant.
- iii. Settling Defendant shall provide Lead Plaintiffs a sworn financial statement satisfactory to Lead Plaintiffs' counsel, showing Settling Defendant's inability to satisfy a substantial judgment in this matter.

Dated: December 20, 2012


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